

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NARTRON CORPORATION,

Plaintiff,

Case No. 06-10683

v.

District Judge Lawrence P. Zatkoff
Magistrate Judge R. Steven Whalen

BORG INDAK, INC.,

Defendant.

/

**AMENDED ORDER GRANTING IN PART AND DENYING IN PART
DEFENDANT'S MOTION TO COMPEL DISCOVERY**

For the reasons and under the terms stated on the record on February 8, 2007,

Defendant's Motion to Compel Discovery [Docket #92]¹ is GRANTED IN PART AND
DENIED IN PART, as follows:

1. As to Request to Produce (RTP) #1, the Motion is GRANTED. Plaintiff shall produce the requested documents for the time period of January 1, 1996 to the present.
2. As to RTP #2 through #9, #13, #17, #18 and #20, Plaintiff has represented, through counsel, that all responsive documents have been produced. The Motion, therefore, will be GRANTED only to the extent that Plaintiff shall supplement its

¹ All discovery issues in this Motion relate to Defendant's Third Set of Requests for Production to Plaintiff, submitted on November 15, 2006.

responses insofar as there are any additional responsive documents that have not been provided. In addition, Plaintiff shall, upon Defendant's request, specifically identify, by Bates Numbers or otherwise, any documents already produced that are responsive to these requests.

3. As to RTP #24, the Motion is GRANTED.
4. As to RTP #10 through #12; #14 through #16, #21, #22 and #23, the Motion is DENIED.
5. As to RTP #15 and #19, the Motion is DENIED, because the requests, as written, are vague. Specifically, the term "variances from standard costs" is subject to interpretation. Further, to the extent that the requests are based on a "standard cost accounting system," Plaintiff represents that it does not use a cost accounting system.
6. All documents required to be produced under this Order shall be produced within 21 days of the date of this Order.

SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: February 8, 2007

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on February 8, 2007.

s/Susan Jefferson

Case Manager